

## **DISCIPLINARY ACTION**

### **Two-Year Conditional Diversion ODC File Nos. 108261-B and 108440-B (Mar. 10, 2014)**

A Delaware lawyer accepted a two-year conditional diversion offered by a panel of the Preliminary Review Committee. The lawyer failed to provide to the Family Court forms of Orders in several matters which he had promised to do on multiple occasions. In another Family Court matter the lawyer failed to respond to discovery requests from opposing counsel and failed to comply with Court Orders regarding the discovery. By failing to comply with Family Court orders and failing to respond to discovery requests the lawyer violated **Rules 1.1, Rule 1.3 and Rule 8.4(d)**.

In offering the two-year conditional diversion the PRC considered aggravating and mitigating factors. In aggravation, the lawyer had substantial experience in the practice of law and had a prior disciplinary history and in mitigation, the lawyer did not act with a dishonest or selfish motive, had personal or emotional problems, and fully cooperated with the ODC in the investigation of the matter.

As conditions, the lawyer is required to identify a Practice Monitor and meet with the Practice Monitor monthly for the first year of diversion and quarterly the second year of diversion, sign an Agreement of Understanding with DELAP, attend the DSBA Procrastination Seminar, view the DSBA video from the January 28, 2014 CLE “Dealing with a Difficult Client”, and pay the costs of the ODC investigation.